

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of :

Appl. No.10/625,149	:	Confirm. No. 8274
H. Downman McCarty, II	:	
Brooke Schumm III	:	
Peter Popper, Applicants	:	Examiner: O. Flores Sanchez
Filed: July 23, 2003	:	Group Art Unit 3724

**For: AN ANTI-SPALLING COMBINATION ON AN IMPACT TOOL  
WITH AN IMPROVED HOLDING SYSTEM**

Honorable Commissioner of Patents and Trademarks  
Mail Stop Patent Application, P.O. Box 1450  
Alexandria, VA 22313-1450

**CONTINUATION AND PRIORITY DATA**

Continuation in part of PCT/US02/23448 and entry into the national stage of PCT/US02/23448,  
continuation in part of U.S. provisional applications 60/307,198 filed on July 23, 2001, and  
60/356,804 filed on February 13, 2002

**NOTICE OF FILING OF DECLARATIONS  
IN FURTHER SUPPORT OF APPLICANTS' RESPONSE TO OFFICE ACTION**

Please find filed contemporaneously a Declaration of James L. Glancey, Associate Professor, University of Delaware with his curriculum vitae and an article he-co-authored (also previously submitted), and the Declaration of H. Downman McCarty, II applicant herein, and President of a wholesale vendor of the invention, Baltimore Tool Works, Inc. with an exhibit from a retail vendor Northern Tool, Inc. of a competitive look-alike tool with a review by a Northern Tool customer. These Declarations are offered in support of the Applicants' recent submissions to the Office with respect to the Office action of July 5, 2007.

Applicants respectfully believe the case is ripe for the earlier requested examiner interview with the examiner and Supervisory Primary Examiner about which the Supervisory Primary Examiner had recently contacted counsel.

Respectfully,

/s/ /Brooke Schumm III /

Brooke Schumm III

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I certify I caused the above to be filed electronically in the USPTO this 30<sup>th</sup> day of March, 2009.

/Brooke Schumm III/ /s/ Brooke Schumm III